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Docket No. 3828-4001US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 0 7 2002

Applicant(s):

Cohava GELBER

Group Art Unit:

1645

TECH CENIER 1600/2900

Serial No.:

10/015,728

Examiner:

To Be Assigned

Filed:

November 1, 2001

For:

MONOCLONAL ANTIBODIES AND CELL SURFACE ANTIGENS FOR THE

DETECTION AND TREATMENT OF SMALL CELL LUNG CANCER (SCLC)

EXPRESS MAIL CERTIFICATE

Express Mail Label No.:

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Date of Deposit:

May 30, 2002

I hereby certify that the following attached paper(s) and/or fee

1. Information Disclosure Statement (IDS) (3 pages):

2. PTO-1449 Form listing 4 references (1 page);

3. Copies of 4 references listed on Form PTO-1449;

4. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231

Jafet N. Cotto

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone (212) 751-6849 Facsimile

Docket No. 3828-4001US1

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Group Art Unit: 1645

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<u>INFORMATION DISCLOSURE STATEMENT</u>

Commissioner for Patents Washington, DC 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching. For each of the following items listed on the enclosed copy of Form PTO-1449 that is 1. not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed: For each of the following items listed on the enclosed copy of Form PTO-1449 that is 2 not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not 3. enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with: 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national

application other than a CPA; or

		37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or			
	\boxtimes	37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or			
		37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.			
5.	since in para Allow	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement t is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified agraph 4 above but before the mailing date of a final action or a Notice of ance (where there has been no prior final action), and is accompanied by one of rtifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.			
6.	it is be paragr	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with 37 C.F.R. §1.97(c), after the period specified in aph 4 above but before the mailing date of a final action or a notice of since (where there has been no prior final action):			
		A check in the amount of \$180.00 is enclosed in payment of the fee.			
		Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.			
7.	A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:				
		ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and			
		e fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.			
8.		is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since sing filed in compliance with:			
	a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);			
	b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(b)			

		c. 🗌	The fees due under a paragraph 11 below		§§1.17(h) and 1.17(p) are paid as set forth in		
9.		I hereby certify that each item of information contained in this Information Disclose Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.					
		filed he counte was kn	erewith was cited in a erpart foreign applicat	a communition or, to a	ation in the Information Disclosure Statement ication from a foreign patent office in a my knowledge after making reasonable inquiry, ed in §1.56(c) more than three months prior to re Statement.		
10.					a Search Report Communication which was Foreign counterpart application		
11.			ek in the amount of \$ §§1.17(h) and 1.17(p		nclosed in payment of the fees due under 37		
		Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.					
	X	require Deposi	ed for this Information	n Disclosu <u>00,</u> Order I	ed to charge any additional fees which may be re Statement, or credit any overpayment to No. 3828-4001US1. A DUPLICATE COPY OF		
					Respectfully submitted, MORGAN & FINNEGAN, L.L.P.		
Date	ed: <u>M</u>	ay 30, 2	<u>2002</u>	Ву:	Leslie A. Serunian Registration No. 35,353		
MO 345 Nev (21)	RGA! Park v Yorl 2) 758	N & FIN Avenue k, NY 1 -4800	Address: NNEGAN, L.L.P. 0154-0053 Telephone Facsimile				

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FORM PTO-1449 MADEMAN

Attorney Docket: Serial No.: 3828-4001US1 10/015,728

Applicant:

Cohava GELBER

JUN 0 7 2002

INFORMATION DISCLOSURE CITATION			Cohava GELBER					
			Filing Date: November 1, 2001	Group Art Unit 1645	· TECH (CENTER 1600		
			U.S.	PATENT DOCUMENTS	- <u>-</u>			
Examiner Initial		Patent Number	Issue Dat	te Name	Class	Sub- Class	Filing Date	
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		T		N PATENT DOCUMENTS		Sub-	1	
Examiner Initial		Number	Publicatio Date	Country	Class	Class	Translation	
-							Yes No	
							Yes No	
							☐ Yes ☐ No	
							Yes No	
							Yes No	
				NTS (Including Author, Title				
	1	T. Soussi, 2000, "p: Cancer Research, V		odies in the Sera of Patients wi 0:1777-1788.	th Various Types	of Cancer:	A Review",	
A.O. Güre et al., 2000, "Serological identification of embryonic immunogenic tumor antigens in small cell lung cancer", PNAS,								
	3		er et al., 2	002, "Molecular Pathogenesis				
	4	F.P. Worden et al., 2000, "Therapeutic advances in small cell lung cancer", Exp. Opin. Invest. Drugs 9 (3):565-579.						
xaminer	1			Date Considered				
	Draw lir	ne through citation if n	ot in con	her or not citation is in confort formance and not considered.	mance with MPEF	9 §609.		
	Include	copy of this form with	next con	nmunication to Applicant.				